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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/002,349

01/02/1998

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03/03/2003

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EXAMINER

TILLERY, RASHAWN N

ART UNIT

PAPER NUMBER

2612

DATE MAILED: 03/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/002,349

Applicant(s)

IKEDA,, OSAMU

Examiner

Rashawn N Tillery

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 December 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,6-8,10,12-15 and 17-23 is/are rejected.
- 7) ☒ Claim(s) 3-5,9,11,16 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

Applicant's arguments with respect to claims 1-23 have been considered but are moot in view of the new ground(s) of rejection applied by new Examiner. This is action will be Non-Final.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1, 2, 6-8, 10, 12, 13 and 22 are rejected under 35 U.S.C. 102(e) as being anticipated by Lourette et al (US5978016).

Regarding claims 1 and 22, Lourette discloses an electronic camera having a plurality of functions including capturing and recording images, comprising:

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an operation input unit (see col. 16, lines 10-59 where the camera function icons are discussed) for inputting external operations that designate corresponding functions of the camera to be performed;

an image pickup unit (inherent feature) for capturing an image of an object;

a recorder (inherent feature) for recording the image captured by the image pickup unit on a recording medium (see col. 9, lines 56-67 and col. 10, lines 1-19 where the storage mediums are discussed);

a playback unit (see col. 15, lines 15-40 where the playback of images is discussed) having a display for at least playing back image information that is recorded on the recording medium; and

a mode selector (see col. 6, lines 19-37 where the control unit is discussed) for selecting one operation mode of the camera from a plurality of available operation modes that include an operation explanation (Lourette discloses in figure 16 a help function),

wherein if the operation explanation mode is selected at the mode selector, the playback unit plays back on the display an operation guide that is pre-stored in a memory (see col. 9, lines 56-67 and col. 10, lines 1-19 where stored basic operation instructions are discussed), the operation guide explaining at least one of the external operations and corresponding camera functions thereof. (It is inherent that Lourette's help function describe specific functions of the camera since Lourette discloses that the help function provides "information"

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from a help menu) and wherein at least the operation input unit, the recorder, the display and the mode selector are enclosed within a main camera body.

Regarding claim 2, Lourette discloses in figure 11 that function data associated with a selected function is displayed in 208; thus it is inherent that while in operation explanation mode, the playback unit plays back the operation guide for the camera operation that is designated by the operation input unit.

Regarding claim 6, see claim 1 above where the storage mediums are discussed.

Regarding claims 7 and 8, see claim 1 above where the mode selector is discussed.

Regarding claim 10, Lourette discloses a help function for providing help information; and since the help screens of the help menu are being viewed on a display, they may be considered as a series of images.

Regarding claim 12, see claim 1 above where the control unit is discussed.

Regarding claim 13, Lourette discloses a control unit in figure 5 which is used to select a function icon from a plurality of function icons using a touch screen.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to

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be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 14, 15, 17-21 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lourette et al. *in view of* Ishibashi et al.

Regarding claim 14, Lourette discloses an electronic camera, comprising:

an image pickup unit (inherent feature) for capturing an image of an object;

a recorder (inherent feature) for recording the image captured by the image pickup unit on a recording medium (see col. 9, lines 56-67 and col. 10, lines 1-19 where the storage mediums are discussed);

a playback unit (see col. 15, lines 15-40 where the playback of images is discussed) having a display for at least playing back image information that is recorded on the recording medium; and

a mode selector (see col. 6, lines 19-37 where the control unit is discussed) for selecting an operation mode.

Lourette does not expressly disclose a diagnosis mode which includes a function tester for testing functions of the camera. However, Ishibashi discloses useful function and status information of camera operation under the control of various function test select buttons disposed about the camera housing (see col. 1, lines 28-53). Ishibashi discloses an exposure or iris setting indicator which includes iris or aperture representation (see col. 2, lines 50-52). This iris setting indicator inherently performs some form of test to provide the indication of the iris setting. It would have been obvious to modify the Lourette camera to include a

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diagnosis mode which includes a function tester as taught by Ishibashi to provide status information of functions of a camera to ensure proper camera operation.

Regarding claim 15, see claim 14 above.

Regarding claim 17, the combination of Lourette and Ishibashi disclose displaying test results generated by the function tester since Ishibashi discloses useful function and status information of camera operation under control of various function test select buttons disposed about the camera housing wherein an all-test button is provided to actuate various function indicators by the quantity indicator in a test function sequence for a readout of all the displayed camera functions (see col. 1, lines 28-53).

Regarding claim 18, Lourette discloses an electronic camera having a plurality of functions including capturing and recording images, comprising:

- a mode selector (see col. 6, lines 19-37 where the control unit is discussed) externally switchable to select a variety of modes including a normal mode.

- an operation input unit (see col. 16, lines 10-59 where the camera function icons are discussed) for inputting external operations that initiate corresponding functions of the camera while the camera is in a normal mode;

- an image pickup unit (inherent feature) for capturing an image of an object;

- a recorder (inherent feature) for recording the image captured by the image pickup unit on a recording medium (see col. 9, lines 56-67 and col. 10, lines 1-19 where the storage mediums are discussed);

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a playback unit (see col. 15, lines 15-40 where the playback of images is discussed) having a display for at least playing back image information that is recorded on the recording medium in accordance with the external operations inputted through the operation input unit while the camera is in a normal mode; and

Lourette does not expressly disclose a diagnosis mode which includes a function tester for testing functions of the camera. However, Ishibashi discloses useful function and status information of camera operation under the control of various function test select buttons disposed about the camera housing (see col. 1, lines 28-53). Ishibashi discloses an exposure or iris setting indicator which includes iris or aperture representation (see col. 2, lines 50-52). This iris setting indicator inherently performs some form of test to provide the indication of the iris setting. It would have been obvious to modify the Lourette camera to include a diagnosis mode which includes a function tester as taught by Ishibashi to provide status information of functions of a camera to ensure proper camera operation.

Regarding claim 19, Lourette does not explicitly state that the camera includes a diagnosis mode which includes a function tester for automatically testing function. However, Ishibashi discloses automatically displaying predetermined camera functions during testing function (col. 2, lines 3-9). It would have been obvious to one of ordinary skill in the art to modify the Lourette camera to include a diagnosis mode which includes a function tester as taught by Ishibashi to provide status information of functions of a camera to ensure proper camera operation.

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Regarding claim 20, see claim 18 above.

Regarding claim 21, see claim 18 above.

Regarding claim 23, see claim 18 above.

Allowable Subject Matter

Claims 3-5, 9, 11 and 16 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Regarding claim 3, the prior art does not teach or fairly suggest an electronic camera having a plurality of functions comprising an operation input unit, image pickup unit, recorder, playback unit, and mode selector, wherein

in an operation explanation mode, the playback unit plays back the operation guide for the camera operation that is inputted by the operation input unit without actually performing the corresponding camera function designated by that camera.

Regarding claim 4, the prior art does not teach or fairly suggest an electronic camera having a plurality of functions comprising an operation input unit, image pickup unit, recorder, playback unit, and mode selector, wherein

the mode selector automatically selects the operation explanation mode in response to attachment to the recording medium drive of the detachable recording medium having the operation guide stored thereon.

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Regarding claim 9, the prior art does not teach or fairly suggest an electronic camera having a plurality of functions comprising an operation input unit, image pickup unit, recorder, playback unit, and mode selector, wherein the playback unit further comprises a sound reproducing device, and plays back the operation guide in the form of sound.

Regarding claim 11, the prior art does not teach or fairly suggest an electronic camera having a plurality of functions comprising an image pickup unit, recorder, playback unit, mode selector and function tester, wherein when the operation explanation modes is selected at the mode selector, the playback unit automatically plays back an operation guide that explains overall operations of the electronic camera.

Regarding claim 16, the prior art does not teach or fairly suggest an electronic camera having a plurality of functions comprising an image pickup unit, recorder, playback unit, mode selector and function tester, wherein the playback unit further comprises a sound reproducing device, and plays back image information that is recorded on the recording medium in accordance with an external operation specifying a playback function of the playback unit.

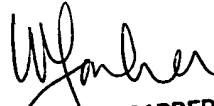
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rashawn N Tillery whose telephone number is 703-305-0627. The examiner can normally be reached on 9AM-6:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy Garber can be reached on 703-305-4929. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4750.

RNT
February 24, 2003


WENDY R. GARBER
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